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PATENT

Case Docket No. AUROBIO.026A

Date: July 25, 2002

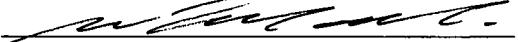
Page 1

In re application of : Maher, et al.)
App. No. : 09/804,457)
Filed : March 12, 2001)
For : ION CHANNEL ASSAY)
METHODS)
Examiner : Murphy, J.F.)
Art Unit : 1646)

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July 25, 2002

(Date)


Sam K. Tahmassebi, Reg. No. 45,151

UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 2327
Arlington, VA 22202

Sir:

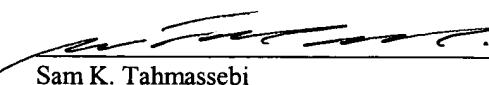
Transmitted herewith is Response to Restriction Requirement in the above-identified application.

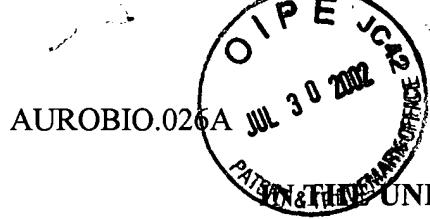
The fee has been calculated as shown below:

CLAIMS AS FILED

CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	29	—	48	= 0 × \$18	= \$0
Independent Claims	2	—	5	= 0 × \$84	= \$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0

(X) Return prepaid postcard.
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Sam K. Tahmassebi
Registration No. 45,151
Attorney of Record



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JAH

AUROBIO.026A

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Maher, et al.

Group Art Unit 1646

Appl. No. : 09/804,457

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Filed : March 12, 2001

July 25, 2002

For : **ION CHANNEL ASSAY
METHODS**

(Date)

Examiner : Murphy, J.F.

Sam K. Tahmassebi, Reg. No. 45,151

RESPONSE TO RESTRICTION REQUIREMENT

United States Patent and Trademark Office
PO BOX 2327
Arlington, VA 22202

Dear Sir:

In response to the Restriction Requirement of July 1, 2002, please enter the following amendments and consider the following remarks.

IN THE CLAIMS:

Please cancel claims 30-48, without prejudice to, or disclaimer of, the subject matter contained therein.

APPLICANT'S ELECTION

Applicants hereby elect, without traverse, to prosecute the claims of Group I, directed to a method of characterizing the biological activity of a target compound, which includes claims 1-29. Applicants have cancelled the claims drawn to the non-elected subject matter, *i.e.*, claims 30-48. Applicants assert that the cancellation of these claims was made solely in response to the election requirement by the Examiner and that such cancellation makes no admission as to the patentability of said claims. Applicants reserve the right to file continuation, divisional, or continuation-in-part applications and pursue the cancelled subject matter.

Appl. No. : 09/804,457
Filed : March 12, 2001

CONCLUSION

Applicants respectfully maintain that claims are patentable and request that they be passed to issue. If a fee is associated with this response, please charge Deposit Account No. 11-1410. Applicants invite the Examiner to call the undersigned if any issues may be resolved through a telephonic conversation.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 25, 2002

By:


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(619) 235-8550

AMEND

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